

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 21-46 are now present in the application. Claims 1-15 and 17-20 have been cancelled. Claims 21-46 have been added. Claims 21, 29, 35 and 42 are independent. Reconsideration of this application, as amended, is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-7, 14, 15 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Blanchard et al., U.S. Patent No. 6,408,191 (hereinafter "Blanchard"), in view of Lu, U.S. Patent Application Publication No. US 2002/0164975 (hereinafter "Lu"), and further in view of Seshadri, U.S. Patent No. 6,249,808 (hereinafter "Seshadri"). Claims 8-10, 12 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cloutier et al., U.S. Patent No. 6,535,586 (hereinafter "Cloutier"), in view of Seshadri. Claim 11 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Cloutier in view of Seshadri, and further in view of Blanchard. Claims 18-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Amin, U.S. Patent No. 6,014,559 (hereinafter "Amin"), in view of Seshadri. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

While not conceding to the Examiner's rejection, but merely to expedite prosecution, as the Examiner will note, claims 1-15 and 17-20 have been canceled. Therefore, Applicant respectfully submits that these rejections have been obviated and/or rendered moot.

Reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

Additional Claims

Additional claims 21-46 have been added for the Examiner's consideration.

After reviewing the utilized references, Applicant respectfully submits that the combinations of elements and steps as set forth in new independent claims 21, 29, 35 and 42 are not disclosed or suggested by the references relied on by the Examiner.

In particular, Blanchard discloses that when the caller *leaves a voice message at the message center*, the called party is appraised of pending voice message via voice mail notification and is expected to call into the voice mail notification and access the voice mail at the message center (see col. 4, lines 30-36). On the other hand, Lu discloses that when a mobile phone receives an *incoming phone call*, it will transmits a trigger signal to a personal computer to notify the user of the incoming phone call (see paragraph 0018). Therefore, one skilled in the art would not have the motivation to modify Blanchard in view of Lu because once the user has received the incoming phone call, there is no need for the caller to leave a voice message and, therefore, no voice mail notification will be sent.

With regard to Cloutier, the Examiner alleged that Cloutier in col. 7, lines 7-14 discloses that the user transmits the signature code to the messaging system server 120 and upon receipt of the signature code, the messaging system server 120 retrieves the message for the user. However, Cloutier also discloses that *the signature code is received from a subscriber via the access device 190, the IVR 145 and the user interface 140* (see col. 6, lines 41-44; 65-67 and FIG. 1). In other words, the signature code (referred to by the Examiner as the preset unique radio signal) is *not*

received from the wireless device 170, but from the subscriber via the access device 190, the IVR 145 and the user interface 140.

With regard to Amin, the Examiner alleged that Amin in col. 7, lines 62-67 discloses that the *wireless device 10* sends a signal to the voicemail and retrieve the voicemail message. Applicant respectfully disagrees. In particular, Amin discloses that the subscriber can push a transmit button (*i.e., the transmit button 62 of the private base station 20*) to send a signal to the voice mail system via the *land-line network* to retrieve a particular voice mail message (see col. 7, lines 49-54). In other words, the signal is sent by the *private base station 20* via the *land-line network*, not by the wireless device 10 as suggested by the Examiner.

The Examiner also alleged that Seshadri in col. 4, lines 19-57 discloses that the computer or telecommunication system is preset to transmit the electronic message or voicemail message to the device upon receiving a preset unique radio signal. Again, Applicant respectfully disagrees. More specifically, Seshadri in col. 4, lines 19-57 merely discloses that, *upon receipt of an email message*, the message server 130 sends the email message to the wireless communication device 170 according to the subscriber profile stored in the message sever 130. Seshadri nowhere teaches that the message server 130 is preset to send the email message to the wireless communication device 170 *upon receipt of a non-existing preset unique radio signal* from the wireless communication device 170.

In addition, claims 22-28, 30-34, 36-41 and 43-46 depend, either directly or indirectly, from new independent claims 21, 29, 35 and 42, and are therefore allowable based on their respective dependence from new independent claims 21, 29, 35 and 42, which are believed to be allowable.

Favorable consideration and allowance of claims 21-46 are respectfully requested.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$120.00 is attached herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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